

02-05-02 100066211 A  
JCG51 U.S. PTO

Please type a plus sign (+) inside this box

Attorney Docket P3130R1C8  
PATENT

JCG28 U.S. PTO  
02/01/02

EL: 889 345 903 US Express Mail Number

February 1, 2001: Date of Deposit

02/01/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA  
Kevin P. Baker, Darnestown, MD  
David Botstein, Belmont, CA  
Luc Desnoyers, San Francisco, CA  
Dan L. Eaton, San Rafael, CA  
Napoleone Ferrara, San Francisco, CA  
Sherman Fong, Alameda, CA  
Wei-Qiang Gao, Palo Alto, CA  
Hanspeter Gerber, San Francisco, CA  
Mary E. Gerritsen, San Mateo, CA  
Audrey Goddard, San Francisco, CA  
Paul J. Godowski, Hillsborough, CA  
Austin L. Gurney, Belmont, CA  
Ivar J. Kljavin, Layfayette, CA  
Jennie P. Mather, Millbrae, CA  
Mary A. Napier, Hillsborough, CA  
James Pan, Belmont, CA  
Nicholas F. Paoni, Belmont, CA  
Margaret Ann Roy, San Francisco, CA  
Timothy A. Stewart, San Francisco, CA  
Daniel Tumas, Orinda, CA  
Colin K. Watanabe, Moraga, CA  
P. Mickey Williams, Half Moon Bay, CA  
William I. Wood, Hillsborough, CA  
Zemin Zhang, Foster City, CA

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS  
ENCODING THE SAME

**1. Type of Application**

- [ ] This application is for an original, non-provisional application.
- [ ] This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a continuation application claiming priority under 35 USC §120 to US serial number 10/002796 filed 11/15/01 which claims priority under 35 USC § 119 to US provisional application numbers: 60/056974 Filed 8/26/97; 60/059115 Filed 9/17/97; 60/059263 Filed 9/18/97; 60/059588 Filed 9/17/97; 60/062285 Filed 10/17/97; 60/062816 Filed 10/24/97; 60/063082 Filed 10/31/97; 60/063329 Filed 10/27/97; 60/063733 Filed 10/29/97; 60/066364 Filed 11/21/97; 60/066840 Filed 11/25/97; 60/069694 Filed 12/16/97; 60/074086 Filed 2/9/98; 60/074092 Filed 2/9/98; 60/079294 Filed 3/25/98; 60/081049 Filed 4/8/98; 60/095998 Filed 8/10/98; 60/097000 Filed 8/18/98; 60/099601 Filed 9/9/98; 60/099803 Filed 9/10/98; 60/099811 Filed 9/10/98; 60/099812 Filed 9/10/98; 60/100858 Filed 9/17/98; 60/101922 Filed 9/24/98; 60/106032 Filed 10/28/98; 60/109304 Filed 11/20/98; 60/125778 Filed 3/23/99; 60/139695 Filed 6/15/99; 60/145070 Filed 7/20/99; 60/145698 Filed 7/26/99; 60/149396 Filed 8/17/99; 60/169495 Filed 12/7/99; and which claims priority under 35 USC §120 to US serial numbers: 08/918874 Filed 8/26/97, now abandoned; 08/933821 Filed 9/19/97, now U.S. Patent No. 5,972,338 Issued 10/26/99; 08/960507 Filed 10/29/97, now U.S. Patent No. 6,057,435 Issued 5/2/00; 09/114844 Filed 7/14/98; 09/136801 Filed 8/19/98; 09/136804 Filed 8/19/98, now abandoned; 09/136828 Filed 8/19/98; 09/158342 Filed 9/21/98, now abandoned; 09/180997 Filed 9/10/98, now abandoned; 09/202088 Filed 12/8/98; 09/254311 Filed 3/3/99, now abandoned; 09/254460 Filed 3/9/99, now abandoned; 09/254465 Filed 3/5/99; 09/284663 Filed 4/15/99; 09/332928 Filed 6/14/99; 09/332929 Filed 6/14/99; 09/333075 Filed 6/14/99; 09/333077 Filed 6/14/99; 09/380137 Filed 8/25/99; 09/380138 Filed 8/25/99, now abandoned; 09/380139 Filed 8/25/99; 09/403296 Filed 10/18/99, now abandoned; 09/403297 Filed 10/18/99, now abandoned; 09/423741 Filed 11/10/99, now abandoned; 09/423844 Filed 11/12/99, now abandoned; 09/522342 Filed 3/9/00; 09/548815 Filed 4/13/00; 09/664610 Filed 9/18/00, now abandoned; 09/665350 Filed 9/18/00; 09/709238 Filed 11/8/00; 09/767609 Filed 1/22/01; 09/802706 Filed 3/9/01; 09/808689 Filed 3/14/01, now abandoned; 09/866028 Filed 5/25/01; 09/870574 Filed 5/30/01; 09/872035 Filed 6/1/01; 09/886342 Filed 6/19/01; PCT/US98/14552 Filed 7/14/98; PCT/US98/18824 Filed 9/10/98, now abandoned; and which claims priority under 35 USC §120 to PCT international application numbers: PCT/US98/19093 Filed 9/14/98; PCT/US98/19330 Filed 9/16/98; PCT/US98/19437 Filed 9/17/98, now abandoned; PCT/US98/24855 Filed 11/20/98; PCT/US98/25108 Filed 12/1/98; PCT/US98/25190 Filed 11/25/98; PCT/US99/05028 Filed 3/8/99; PCT/US99/12252

Filed 6/2/99; PCT/US99/20111 Filed 9/1/99; PCT/US99/20594 Filed 9/8/99; PCT/US99/21090 Filed 9/15/99; PCT/US99/21547 Filed 9/15/99; PCT/US99/28301 Filed 12/1/99; PCT/US99/28313 Filed 11/30/99; PCT/US99/28565 Filed 12/2/99; PCT/US99/30999 Filed 12/20/99; PCT/US00/00219 Filed 1/5/00; PCT/US00/04341 Filed 2/18/00; PCT/US00/04342 Filed 2/18/00; PCT/US00/04414 Filed 2/22/00; PCT/US00/05601 Filed 3/1/00; PCT/US00/05841 Filed 3/2/00; PCT/US00/06471 Filed 3/9/00; PCT/US00/07377 Filed 3/20/00; PCT/US00/08439 Filed 3/30/00; PCT/US00/13358 Filed 5/15/00; PCT/US00/13705 Filed 5/17/00; PCT/US00/14042 Filed 5/22/00; PCT/US00/14941 Filed 5/30/00; PCT/US00/15264 Filed 6/2/00; PCT/US00/22031 Filed 8/11/00; PCT/US00/23328 Filed 8/24/00; PCT/US00/23522 Filed 8/23/00; PCT/US00/32678 Filed 12/1/00; PCT/US01/06520 Filed 2/28/01; PCT/US01/17443 Filed 5/30/01; PCT/US01/17800 Filed 6/1/01; PCT/US01/19692 Filed 6/20/01; PCT/US01/21066 Filed 6/29/01; PCT/US01/21735 Filed 7/9/01, the entire disclosures of which are hereby incorporated by reference.--

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)**

**(Non-provisional )**

159 pages of specification  
8 pages of claims  
1 page(s) of abstract  
75 sheet(s) of drawings  
[X] formal  informal

**3. Declaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

An executed declaration of the inventor(s)  is enclosed  will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*

A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*

A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

**4. Assignment**

*(for new and CIP applications)*

An Assignment of the invention to GENENTECH, INC.  is enclosed with attached Recordation Form Cover Sheet  will follow.

*(for cont./div.)*

The prior application is assigned of record to Genentech, Inc.

JC951 U.S. PTO  
20/10/02

**5. Amendments (for continuation and divisional applications)**

- Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$80.00	\$0.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
<b>Filing Fee Calculation</b>					<b>\$710.00</b>

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. A duplicate copy of this transmittal is enclosed.

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

**9. Additional Papers Enclosed**

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of electronic and paper copy of Sequence Listing. I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.
- Other: Post card.

**5. Amendments (for continuation and divisional applications)**

- Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims	20	- 20 =	0	X \$18.00	\$0.00
Independent Claims	3	- 3 =	0	X \$80.00	\$0.00
Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$710.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$710.00. A duplicate copy of this transmittal is enclosed.

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

**9. Additional Papers Enclosed**

- Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- Submission of electronic and paper copy of Sequence Listing. I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.
- Other: Post card.

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**  
*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- A petition, fee and/or response has been filed to extend the term in the pending prior application until  
 A copy of the petition for extension of time in the **prior** application is attached.

**11. Correspondence Address:**

Address all future communications to:

Ginger R. Dreger  
Registration No. 33,055 - CUSTOMER NO. 30,313  
Knobbe Martens Olson & Bear  
201 California Street, Suite 1150  
San Francisco, CA 94111  
Telephone: (415) 217-8381

Respectfully submitted,  
GENENTECH, INC.

By: Elizabeth M. Barnes

Elizabeth M. Barnes, Ph.D.  
Reg. No. 35,059  
Telephone No. (650) 225-4563

Date: February 1, 2001



09157

PATENT TRADEMARK OFFICE